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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/810,053	03/26/2004	Klaas Bult	51550/LTR/B600	7909
23363	7590	02/10/2006	EXAMINER: YOUNG, BRIAN K	
CHRISTIE, PARKER & HALE, LLP PO BOX 7068 PASADENA, CA 91109-7068			ART UNIT: 2819 PAPER NUMBER	

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

# Office Action Summary

Application No.

10/810,053

Applicant(s)

BULT ET AL.

Examiner

Brian Young

Art Unit

2819

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 2-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2 is/are rejected.
- 7) ☒ Claim(s) 2-6 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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1. Claims 2-6 are objected to because of the following informalities: as noted in the previous office action there appears to be a typographical error in the claims. The invention appears drawn to a digital to analog converter and the specification recites (see specification, pg.1, Ins. 15-20) "This invention relates to *digital-to-analog* converters. More particularly, the invention relates to *digital-to-analog converters* in which a plurality of binary indications representing a value are converted to an analog current or an analog voltage." However, the claims (2 and 6) recite "A method of operating an *analog to digital converter*" and then recite " the DAC" which is the abbreviation used for a *digital to analog converter*. Appropriate correction is required.

2. The allowability of claims 2-5, indicated in the previous office action, has been withdrawn in view of newly discovered prior art. The Examiner regrets any inconvenience this has caused Applicant.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by Berke et al.

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Berke et al. disclose (fig.2) a method of operating digital to analog converter (DAC) comprising: coupling to DAC cells (81,83,85,87,89,91,93, and 95) a plurality of binary indications that represent a digital value (from image generator 27 and via translator 29), the binary indications changing at regular intervals, sampling the values (sampling latches 63,65,67,69,71,73,75, and 77) between intervals after the binary indications change, and latching (input latches 31,33,35,37,39,41,43, and 45) the cells between the intervals.

Berke et al recites (col. 5,ln.52- col.6, ln.1):

"When the clock signal of FIG. 2(C) changes from a logic "1" state to a logic "0" state, **latches 31 through 45 will latch therein the digital words supplied to the data terminal inputs thereof by computer image generator 27. Latches 63 through 77 will then sample for a time period of two hundred nanoseconds the digital words latched within latches 31 through 45, since the clock signal of FIG. 2(D) is in the logic "1" state, thereby enabling the first data terminal inputs of the aforementioned latches 63 through 77.** The digital words sampled by latches 63, 65, 67 and 69 are passed therethrough to the compatible inputs of digital to analog converters 81, 83, 85, and 87, since the clock input of each latch 63, 65, 67, and 69 is in the logic "0" state. Digital to analog converters 81, 83, 85, and 87 will, in turn, convert the digital words, which appear at the inputs thereof for two hundred nanoseconds, to corresponding analog signals."

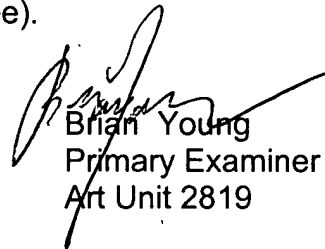
5. Claims 6 will be allowed if amended to overcome the objection noted above.
6. Claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and, the objection noted above.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Young whose telephone number is 571-272-1816. The examiner can normally be reached on Mon-Fri 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rexford Barnie can be reached on 571-272-7492. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Brian Young  
Primary Examiner  
Art Unit 2819

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